



The Chennai Metropolitan Area Groundwater (Regulation) Act, 1987

Act 27 of 1987

Keyword(s):

Date of Commencement, Domestic Purpose, Groundwater, Scheduled Area, Sink

Amendments appended: 13 of 1995, 29 of 1997, 37 of 2002, 43 of 2008

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TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

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Part IV—Section 2

Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 15th June 1987 and is hereby published for general information:—

ACT NO. 27 OF 1987.

An Act to regulate and control the extraction, use or transport of ground water and to conserve groundwater in certain areas in the State of Tamil Nadu.

WHEREAS there is often acute scarcity of water due to consecutive failure of monsoon rains;

AND WHEREAS the available water in the Poondi, Cholavaram and Red Hills reservoirs which are the main sources of supply of water to the Madras City is inadequate to meet the requirements for drinking and other domestic purposes of the people in the ~~Madras~~ ^{Chennai} City;

AND WHEREAS the United Nations Mission which investigateded the possibility of supplementing water supply to ~~Madras~~ ^{Chennai} has recognised that a better economic answer might lie in the development of groundwater potential and had identified the Minjur, Duranallur-Panjetti and Tamaraipakkam-Kilanur Well fields in the Arni-Korteliyar basin, the Poondi, Korteliyar Flood Plains and Kannigaipper aquifers and also Poonaamalle-Porur aquifer in Cooum-Adayar basin as having groundwater for extraction;

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AND WHEREAS the United Nations Development Programme which conducted pre-investment studies on improving water supply and sewerage systems of ~~Madras~~ Chennai concurred with the estimation of the Geological Survey of India that groundwater can be extracted from the twenty kilometre stretch of the coastal zone between South Madras and Kovalam ;

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AND WHEREAS the ~~Madras~~ Metropolitan Water Supply and Sewerage Board has reported that all other possibilities of augmenting water supply to the ~~Madras~~ Chennai City have been exhausted and that it is necessary to regulate and control the extraction and use of ground water in any form and to conserve the same in the City of ~~Madras~~ Chennai and the district of Chengalpattu and to regulate and control the transport of groundwater ;

AND WHEREAS based on the United Nations Development Programme studies, a scheme for artificial re-charge of the Arni-Korteliyar basin with excess flood water flowing into the sea is to be taken up by interlinking Arni and Korteliyar at two or more feasible points and also by constructing sufficient number of check dams at the appropriate places in the Korteliyar river course ;

AND WHEREAS such re-charge will enable optimum utilisation of ground water and formation of a hydraulic barrier against sea water intrusion ;

AND WHEREAS the Government have, after careful examination of all aspects, decided that it is necessary in the public interest to regulate and control the extraction and use of groundwater in any form and to conserve the groundwater in the City of ~~Madras~~ Chennai and certain revenue villages in the district of Chengalpattu and to regulate and control the transport of groundwater ;

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Thirty-eighth Year of the Republic of India as follows :—

1. *Short title, extent and commencement.*—(1) This Act may be called the ~~Madras~~ Chennai Metropolitan Area Groundwater (Regulation) Act, 1987.

(2) It extends to the whole of the City of ~~Madras~~ Chennai and the revenue villages in the Chengalpattu district specified in the Schedule.

(3) Sections 14 and 15 shall come into force on such date as the Government may, by notification, appoint and the rest of this Act shall come into force at once.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “Board” means the ~~Madras~~ Metropolitan Water Supply and Sewerage Board established under section 3 of the ~~Madras~~ Metropolitan Water Supply and Sewerage Act, 1978 (Tamil Nadu Act 28 of 1978);

(b) “competent authority” means the authority specified in section 8;

(c) “date of commencement of this Act” means the date of publication of this Act in the *Tamil Nadu Government Gazette*;

(d) “domestic purposes” means the purposes of drinking, cooking, bathing, washing and flushing of toilet; and the expression “domestic” with all its grammatical variations and cognate expressions shall be construed accordingly;

Explanation.—In the case of any educational institution, hospital, nursing home or hostel, “domestic purposes” shall include the purposes for which water is used for carrying on the work pertaining to such educational institution, hospital, nursing home or hostel;

(e) “Government” means the State Government;

(f) “groundwater” means the water which exists below the surface of the ground;

(g) “scheduled area” means the whole of the City of ~~Madras~~ and the villages specified in the Schedule;

(h) “sink” with all its grammatical variations and cognate expressions includes digging, drilling, boring or deepening;

(i) “well” means a well sunk for the purpose of searching or extracting groundwater and includes an open well, dug well, bore-well, dug-cum-bore well, tube well, filter point or any contrivance which when installed, could be utilised for extracting groundwater.

3. *Grant of permit to sink well in the scheduled area.*—(1) Notwithstanding anything contained in any law for the time being in force, no person shall sink a well in the scheduled area unless he has obtained a permit in this behalf from the competent authority.

(2) Any person desiring to sink a well in the scheduled area shall apply to the competent authority for the grant of a permit for this purpose and shall not proceed with any activity connected with such sinking unless a permit has been granted by the competent authority.

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(3) Every application made under sub-section (2) shall be in such form and contain such particulars as may be prescribed and shall be accompanied by such fee not exceeding two hundred and fifty rupees as may be prescribed. (4) On receipt of an application under sub-section (2), if the competent authority is satisfied that it shall be in the public interest so to do, it may—

(a) grant, subject to such terms, conditions and restrictions as may be specified, a permit authorising the sinking of well; or

(b) refuse to grant a permit:

Provided that no permit shall be refused unless the applicant has been given an opportunity of being heard.

(5) The decision regarding the grant or refusal to grant the permit shall be intimated by the competent authority to the applicant within such period as may be prescribed.

(6) In granting or refusing to grant permit under sub-section (4), the competent authority shall have regard to the following matters, namely :—

(a) the purpose or purposes for which the well is to be sunk;

(b) the existence of other competitive users;

(c) the existence of other wells in the locality;

(d) the availability of groundwater;

(e) such other matter as may be prescribed.

(7) The permit shall be in such form as may be prescribed.

4. *Registration of existing wells and use of groundwater in scheduled area.*—(1) The competent authority shall, within such time as may be prescribed, prepare and maintain a register showing—

(a) the number of wells that were in existence in the scheduled area ; and

(b) the use of groundwater in the scheduled area for agricultural purposes.

immediately before the date of commencement of this Act.

(2) Every register prepared and maintained under sub-section (1) shall contain the following particulars, namely :—

(i) the type of well and its exact location ;

(ii) the device used for lifting the groundwater ;

(iii) the date from which the groundwater is being used;

(iv) the purpose or purposes for which the groundwater is being used;

(v) the quantity of groundwater utilised;

(vi) the extent, location and the survey number of the area where ground water is used for agricultural purposes;

(vii) such other matter as may be prescribed.

(3) The competent authority shall as soon as may be, after the preparation of the register under sub-section (1) and in any case not later than such time as may be prescribed, cause to be published in such manner as may be prescribed,—

(i) in the case of revenue village specified in the Schedule, at convenient places in the revenue village itself; and

(ii) in relation to other areas, at such places as may be prescribed;

an extract from the said register in so far as the entries in the said register relate to the revenue village or to other area concerned.

(4) (a) Where, upon the publication of the extracts under sub-section (3), any land owner or occupier having an interest in any land situate in the scheduled area, is aggrieved by the non-inclusion of the particulars as to the existence of any well or the use of groundwater for agricultural purposes in relation to any such land, or by the inclusion of incorrect particulars relating thereto, he shall make an application to the competent authority within such time and in such manner as may be prescribed for inclusion, or as the case may be, for modification of the particulars relating to such land as entered in the said register: and shall be accompanied by such fee not exceeding two hundred and fifty rupees as may be prescribed

Provided that the competent authority may in its discretion, allow such further time as may be prescribed for making any such application, if it is satisfied that any owner or occupier referred to in this clause had sufficient cause for not making the application in time.

(b) Upon receipt of an application under clause (a), the competent authority shall after making such enquiry as he may deem fit, include or refuse to include or modify or refuse to modify the particulars relating to such land in the register.

(5) The competent authority shall, upon application made by the owner or the occupier of the land concerned furnish an extract relating to his land in respect of which entries have been made in the said register on payment of such fee as may be prescribed not exceeding two hundred and fifty rupees as

5. Licence for extraction, use or transport of groundwater.—(1)
Notwithstanding anything contained in any law for the time being in force and subject to the provisions of sub-sections (2) to (7), on and from the date of commencement of this Act,—

(a) no person shall extract or use groundwater in the scheduled area for any purpose other than domestic purposes;

(b) no person shall transport groundwater by means of any lorry, trailer or any other goods vehicle.

(2) If any person desires to—

(i) extract or use groundwater in the scheduled area for any purpose other than domestic purposes; or

(ii) transport groundwater by means of any lorry, trailer or any other goods vehicle,

then, he shall make an application to the competent authority for the grant of a licence for such extraction, use or transport.

(3) Every application under sub-section (2) shall be made in such form and in such manner and within such period and shall contain such particulars as may be prescribed and shall be accompanied by such fee not exceeding five thousand rupees as may be prescribed.

(4) On receipt of an application under sub-section (2), if the competent authority is satisfied that it shall be in the public interest so to do, it may—

(a) grant, on payment of such fees as may be prescribed and subject to such terms, conditions and restrictions as may be specified, a licence authorising—

(i) the extraction or use of groundwater for any purpose other than domestic purposes; or

(ii) the transport of groundwater by means of lorry, trailer or any other goods vehicle, or

(b) refuse to grant a licence :

Provided that no person shall be refused a licence unless he has been given an opportunity of being heard :

Provided further that where the competent authority to whom an application is made under sub-section (2), fails to inform the applicant of its decision on the application within a period of ninety days from the date of receipt of such application, the licence shall be deemed to have been granted to the applicant and such person shall, for the purposes of this Act, be deemed to be a holder of a licence.

(5) In granting or refusing a licence under this section, the competent authority shall have regard to—

- (a) the purpose or purposes for which groundwater is to be used;
- (b) the existence of other competitive users;
- (c) the availability of groundwater;
- (d) the effect on other sources of water supply;
- (e) the compatibility with the existing water supply system;
- (f) the availability of factors controlling or preventing pollution.

(6) The licence shall be in such form as may be prescribed.

(7) Notwithstanding anything contained in sub-sections (1) to (6)—

(i) every person extracting or using groundwater in the scheduled area for any purpose other than domestic purposes, or

(ii) every person transporting groundwater by means of any lorry, trailer or any other goods vehicle, immediately before the date of the commencement of this Act, may continue to extract, use or transport groundwater for a period not exceeding ninety days from the said date:

Provided that such person has applied for a licence therefor under this section within a period of fifteen days from the said date.

Explanation.—For the purposes of this section, the expression “goods vehicle” shall have the same meaning assigned to it in section 2 (8) of the Motor Vehicles Act, 1939 (Central Act IV of 1939).

6. *Cancellation of permit or licence.*—(1) If the competent authority is satisfied, either on a reference made to it in this behalf or otherwise, that—

(a) any permit granted under sub-section (4) of section 3 or any licence granted under sub-section (4) of section 5 has been obtained by fraud or misrepresentation as to an essential fact; or

(b) a holder of a permit, or as the case may be, a licence, has failed to comply with or contravened any of the terms, conditions and restrictions subject to which, the permit or licence has been granted or has contravened any of the provisions of this Act or the rules made under this Act,

then without prejudice to any other penalty to which such holder may be liable under this Act, the competent authority may after giving to such holder an opportunity of showing cause, by order cancel the permit or licence

(2) On cancellation of the permit or licence under sub-section (1), the competent authority shall, by order, require the holder of the permit or licence, as the case may be, to close or seal off at his own cost the well concerned in such manner as the competent authority may specify in such order and the holder of such permit or licence shall comply with such order.

(3) Where any holder of a permit or licence fails to comply with any order made under sub-section (2), the competent authority may, after giving the holder of the permit or licence due notice in that behalf, enter upon the premises where the well is situate and close or seal off the well and the cost incurred therefor shall be recoverable from such holder of the permit or licence as an arrear of land revenue.

7. Exemption.—Nothing in this Act shall apply to—

(i) the Board or any officer of the said Board in the discharge of his duties or performance of his functions as an officer of such Board ; and

(ii) any person extracting groundwater from any well,—

(a) without the aid of any pumpset ; or

(b) with the aid of pumpset of capacity not exceeding 0.5 Horse Power in respect of any one well.

8. Competent authority.—(1) The competent authority for the purpose of this Act shall be—

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[30-9-96] (a) in the City of Madras, the Board ; and

(b) in relation to the villages specified in the Schedule, the Collector of Chengalpattu or any officer not below the rank of Tahsildar, authorised by the Government in this behalf.

(2) If the competent authority or any person duly authorised by it in this behalf has reason to believe that an offence under this Act has been, or is being, or likely to be, committed, the competent authority or the person so authorised may enter and inspect with such assistance as may be necessary at any time by day or by night, any place to satisfy itself or himself whether any of the provisions of this Act or the rules made under this Act or of any of the terms, conditions and restrictions, subject to which the permit or licence has been granted are contravened or otherwise not complied with.

TNA:29/47 9. *Appeal.*—(1) Any person aggrieved by an order made under this Act may, [within such period and in such manner] as may be prescribed, appeal to such authority as the Government may, by notification, specify in this behalf.

(2) In deciding the appeal, the authority specified under sub-section (1) shall follow such procedure as may be prescribed and the decision of such authority on such appeal shall be final and shall not be called in question in any court of law.

10. Offences and penalties.—(1) If any person contravenes, or fails to comply with, any of the provisions of this Act or the rules made under this Act or of the terms, conditions and restrictions, subject to which the permit or licence has been granted, he shall be punished for the first offence with fine which may extend to five hundred rupees and for the second or any subsequent offence, with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

(2) Any person who after having been convicted of any offence under this Act, continues to commit the same offence shall be punished with a further fine which may extend to one hundred rupees for every day during which he continues so to offend after such conviction.

11. Offences by companies.—(1) Where an offence punishable under this Act has been committed by a company, every person, who, at the time the offence was committed, was incharge of and was responsible to, the company, for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section—

(a) "company" means any body corporate and includes a firm or other association of individuals ; and

(b) "director" in relation to a firm means a partner in the firm.

The Offences under this Act to be cognizable.—(1) Any offence punishable under this Act shall be a cognizable offence within the meaning of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974).

(2) No court shall take
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for agricultural purposes.—(1) Sections 3 and 4 and so much of section 6 and of sections 10 to 12 as they relate to the contravention of the said section 3 shall apply to every person using groundwater in the scheduled area for agricultural purposes immediately before the date of commencement of this Act and to the competent authority.

(2) Save as otherwise provided in sub-section (1) nothing contained in this Act shall apply to any person using groundwater in the scheduled area for agricultural purposes immediately before the date of commencement of this Act.

14. Implementation of scheme for artificial re-charge.—Without prejudice to the foregoing provisions of this Act and with a view to ensure optimum utilisation of groundwater and formation of hydraulic barrier against sea water intrusion, the Government shall issue instructions to the Board for implementing within such period as may be prescribed the scheme for artificial re-charge of the Arni-Korteliyar basin with the excess flood water flowing into the sea by interlinking Arni and Korteliyar at two or more feasible points and also by constructing sufficient number of check dams at the appropriate places in the Korteliyar river course.

15. *Power of Board to make regulations*.—With a view to prevent sea water intrusion, the Board shall make regulations for assessing scientifically, from time to time, the quantity of water which can be drawn from the Minjur, Duranallur-Panjetti and Tamaraipakkam-Kilanur well fields in the Arni-Korteliyar basin, the Poondi, Korteliyar Flood Plains and Kannigaipper aquifers and also Poonamallee-Porur aquifer in Cooum-Adayar basin and for fixing up the limits of the drawal of groundwater by the Board:

Provided that no regulation shall have effect unless a draft of the regulations has been sent by the Board to the Government and the approval of the Government has been obtained therefor.

16. *Protection of action taken in good faith.*—No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act.

17. *Other laws not affected.*—Save as otherwise provided in this

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“17-A. *Power to amend Schedule.*—The Government may, by notification add to the Schedule or omit any of the entries specified in the Schedule. Upon the issue of such notification, the Schedule shall be deemed to be accordingly”.

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(2) (a) All rules made under this Act shall be published in the *Tamil Nadu Government Gazette* and unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(b) All notifications issued under this Act shall, unless they are expressed to come into force on a particular day, come into force on the date on which they are published.

(3) Every rule made and every notification issued under this Act shall, as soon as possible after it is made or issued, be placed on the Table of the Legislative Assembly and if, before the expiry of the session in which it is so placed or the next session, the Assembly makes any modification in any such rule or notification or the Assembly decides that the rule or notification should not be made or issued, the rule or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification.

THE SCHEDULE.

[See sections 1 (2) and 2 (g)]

The following revenue villages in the Chengalpattu District, namely :—

Serial number.	Name of the village.	Village number.	Taluk.
(1)	(2)	(3)	(4)
1	Vallur	42	Ponneri.
2	Manopuram	107	Do.

<i>Serial number.</i>	<i>Name of the village.</i>	<i>Village number.</i>	<i>Taluk.</i>
(1)	(2)	(3)	(4)
3	Lingapaiyanpettai	158	Ponneri.
4	Kalapakkam	51	Do.
5	Kattupalli	92	Do.
6	Ariyanuvoyal	49	Do.
7	Minjur	50	Do.
8	Nallore	54	Do.
9	Thottakadu	52	Do.
10	Thiruvallivoyal	105	Do.
11	Anuppampattu	81	Do.
12	Vannipakkam	55	Do.
13	Marathur	89	Do.
14	Lakshmipuram	157	Do.
15	Peruvoyal	146	Do.
16	Puduvoval	122	Do.
17	Narashunpettai	35	Do.
18	Valudalambedu	39	Do.
19	Nayar	34	Do.
20	Seemapuram	41	Do.
21	Madiyoor	40	Do.
22	Lingasamudram	109	Do.
23	Sivapuram	110	Do.
24	Pulikulam	82	Do.

Serial number.	Name of the village.	Village number.	Taluk.
(1)	(2)	(3)	(4)
25	Murichambedu ..	55	Ponneri.
26	Kumarasiralapakkam ..	84	Do.
27	Devadanam ..	83	Do.
28	Velambakkam ..	53	Do.
29	Siruvelur ..	86	Do.
30	Kanniyambakkam ..	85	Do.
31	Kolatti ..	47	Do.
32	Nandhiyambakkam ..	46	Do.
33	Athipattu ..	43	Do.
34	Velur ..	87	Do.
35	Kadamancheri ..	88	Do.
36	Voyalur ..	91	Do.
37	Ennore ..	44	Do.
38	Thirukandalam ..	76	Thiruvelllore.
39	Akkaraipakkam ..	57	Do.
40	Neyveli ..	77	Do.
41	Anathanakkavakkam ..	64	Do.
42	Panjetty ..	68	Do.
43	Chinnambedu ..	127	Ponneri.
44	Nalliankuppam ..	128	Do.
45	Arni ..	129	Do.
46	Dorainallore ..	122	Do.
47	Vadakkunallore ..	124	Do.

<i>Serial number.</i>	<i>Name of the village.</i>	<i>Village number.</i>	<i>Taluk.</i>	<i>Serial number</i>
(1)	(2)	(3)	(4)	(1)
48	Pondavakkam	131	Ponneri	70
49	Sevithupanapakkam	125	Do.	71
50	Nekkunram	31	Do.	72
51	Vichoor	13	Do.	73
52	Sekkancheri	30	Do.	74
53	Gangaiyad kuppam	58	Do.	75
54	Thirunilai	15	Do.	76
55	Velliwoyal	12	Do.	77
56	Thirunilai	58	Thiruvellore	78
57	Arudanallur	59	De.	79
58	Kadanallur	59	Do.	80
59	Koovambakkam	60	Do.	81
60	Manjankaranai	62	Do.	82
61	Madavilagam	65	Do.	83
62	Kattupakkam	63	Do.	84
63	Madavaram	130	Ponneri.	85
64	Kilameni	312	Do.	86
65	Adambakkam	309	Do.	87
66	Natham	313	Do.	88
67	Eranavakkam	311	Do.	89
68	Bandikavanur	310	Do.	90
	Savundapuram	126	Do.	

Serial number.	Name of the village.	Village number.	Taluk.	
(1)	(2)	(3)	(4)	
70	Peravallur	.. ... ..	120	Ponneri
71	Panjetti	..	70	Do.
72	Alingivakkam	—	65	Do.
73	Vairavankuppam	—	121	Do.
74	Andarkuppam	—	74	Do.
75	Periyanjeri	—	75	Do.
76	Madavaram	—	73	Do.
77	Tachur	.. .. ..	71	Do.
78	Chellapillaiarkuppam	—	69	Do.
79	Neduvarambakkam	.. —	67	Do.
80	Senni vakkam	.. —	72	Do.
81	Attipedu	.. .. ..	66	Do.
82	Erulupattu	.. .. ..	64	Do.
83	Sayanvaram	.. —	76	Do.
84	Vadakkupattu	.. .. ..	77	Do.
85	Amur	.. .. ..	78	Do.
86	Ponneri	.. —	116	Do.
87	Elanambedu	.. .. ..	80	Do.
88	Atreyamangalam	.. .. ..	79	Do.
89	Anuppampattu	.. .. ..	81	Do.
90	Kilampakkam	.. .. ..	78C	Thiruvellore
91	Athangigavanoor	—	81	Do.

<i>Serial number.</i>	<i>Name of the village.</i>	<i>Village number.</i>	<i>Taluk.</i>	<i>Serial number.</i>
(1)	(2)	(3)	(4)	(1)
92	Vengal	90	Thiruvellore.	114
93	Arumbakkam	139	Do.	115
94	Vadamadurai	80	Do.	116
95	Othikkadu	160	Do.	117
96	Perumudivakkam	75	Do.	118
97	Kadirvedu	91	Do.	119
98	Thalakkancheri	164D	Do.	120
99	Chittathur	158	Do.	121
100	Karikalavakkam	144	Do.	122
101	Gomugambedu	85A	Do.	123
102	Guruvoval	73	Do.	124
103	Sethupakkam	83	Do.	125
104	Magaral	84	Do.	126
105	Tamaraiapakkam	85	Do.	127
106	Agaram	82	Do.	128
107	Pagalmedu	88	Do.	129
108	Perathur	145	Do.	130
109	Melanoor	137	Do.	131
110	Panapakkam	55	Do.	132
111	Melakandiyoor	147	Do.	133
112	Ikkadu	159	Do.	134
113	Sembedu	93	Do.	135
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(A)

<i>Serial number.</i>	<i>Name of the village.</i>	<i>Village number.</i>	<i>Taluk.</i>
(1)	(2)	(3)	(4)
114	Chittambakkam ..	136	Thiruvellore.
115	Punnappakkam ..	161	Do.
116	Kalyanakuppam ..	167	Do.
117	Veeraraghavapuram ..	145A	Do.
118	Thandalam ..	156	Do.
119	Kizhanoor ..	138	Do.
120	Thirukkancheri ..	140	Do.
121	Vishnuvakkam ..	143	Do.
122	Vilampakkam ..	142	Do.
123	Vadathoor ..	146	Do.
124	Velliur ..	92	Do.
125	Punnappakkam ..	87	Do.
126	Alapakkam ..	78	Do.
127	Kerani ..	72	Do.
128	Alingivakkam ..	74	Do.
129	Karani ..	74	Do.
130	Kottivakkam ..	141	Saidapet.
131	Palaakkam ..	142	Do.
132	Neelankarai ..	145	Do.
133	Injambakkam ..	146	Do.
134	Sholingenallur ..	189	Do.
135	Uthandi ..	191	Do.
136	Karapakkam (East of B. Canal)	147	Do.

<i>Serial number.</i>	<i>Name of the village.</i>	<i>Village number.</i>	<i>Taluk</i>	<i>Se rum</i>
(1)	(2)	(3)	(4)	(
137	Oggianthorappakkam (East of B. Canal).	148	Saidapet.	159
138	Palikkaranai (East of B. Canal)	149	Do.	160
139	Aladu	111	Ponneri.	161
140	Ramanjeri	118	Thiruvelllore.	162
141	Karamainizambath	119	Do.	163
142	Kunnavalam	120	Do.	164
143	Poondi	125	Do.	165
144	Movur	127	Do	166
145	Neyveli	128	Do.	167
146	Ramathandalam	131	Do.	168
147	Siyancheri	132	Do.	169
148	Eraevur	133	Do.	170
149	Meyyur	134	Do.	171
150	Monnavedi	135	Do.	172
151	Thohikalai	153	Do.	173
152	Ayalur	154	Do.	174
153	Kilambakkam	155	Do.	175
154	Pullaramba ^k kam	162	Do.	176
155	Perumbakkam	163	Do.	177
156	Tiruppasur	165	Do.	178
157	Pandur	166	Do.	179
158	Kanagavallipuram	167	Do.	180

<i>Serial number.</i> (1)	<i>Name of the village.</i> (2)	<i>Village number.</i> (3)	<i>Taluk.</i> (4)
159	Pattaraiperumbudur	168	Thiruvellore,
160	Melvilagam	169	Do.
161	Kilvilagam	170	Do.
162	Kallganur	171	Do.
163	Vidayur	172	Do.
164	Nemiliagaram	173	Do.
165	Athupakkam	174	Do.
166	Karanai	175	Do.
167	Palliaraikuppam	176	Do.
168	Pirayankuppam	177	Do.
169	Venmanambudur	178	Do.
170	Kadambathur	179	Do.
171	Egathur	180	Do.
172	Selai	181	Do.
173	Pirayankuppam	182	Do.
174	Kakkalakalur	183	Do.
175	Thanneerkulam	184	Do.
176	Puthur	185	Do.
177	Tholur	186	Do.
178	Sirukadal	187	Do.
179	Sevapettai	188	Do.
180	Ayathur	189	Do.
181	Perumalpattu	193	Do.

<i>Serial number.</i>	<i>Name of the Village.</i>	<i>Village number.</i>	<i>Taluk.</i>
(1)	(2)	(3)	(4)
182	Tirur	194	Thiruvelllore.
183	Vengathur Ar mvoyal	201	Do.
184	Kasavanallathur	208	Do.
185	Agaram	209	Do.
186	Panapakkam	210	Do.
187	Ramankoil	211	Do.
188	Madankuppam	212	Do.
189	Senna aram	213	Do.
190	Senji	214	Do.
191	Thenankaranai	215	Do.
192	Citrampakkam	216	Do.
193	Peramb kkam	217	Do.
194	Kavankulathur	218	Do.
195	Pudumavilangai	219	Do.
196	Ammanambakkam	86	Do.
197	Gerukampundi	141	Do.
198	Kannathur Reddikuppam	35	Chengalpattu.
199	Muttukadu	36	Do.
200	Kovilanthangal (Kanjithotti) ..	44	Do.
201	Veeraraghavapuram	9	Sriperumbudur.
202	Parivakkam -	10	Do.
203	Panavedu Natham -	11	Do.

<i>Serial number.</i>	<i>Name of the village.</i>	<i>Village number.</i>	<i>Taluk.</i>
(1)	(2)	(3)	(4)
204	Pidari Thangal ..	.. ..	12 Sripurumbudur.
205	Kolappancheri ..	.. ..	13 Do.
206	Kulathuvanchery	.. ..	45 Do.
207	Srinivasapuram	... ..	46 Do.
208	Kattupakkam ..	.. ..	47 Do.
209	Chenneerkuppam	.. ..	48 Do.
210	Koparasanallur	.. ..	49 Do.
211	Ayyappanthangal	.. ..	50 Do.
212	Thelliaragaram ..	.. ..	51 Do.
213	Mugalivakkam	.. ..	53 Do.
214	Mangadu	.. ..	42 Do.
215	Mogappair	.. ..	81 Saidapet.
216	Nelambu	.. ..	82 Do.
217	Adayalambattu ..	.. ..	83 Do.
218	Ayanambakkam	.. ...	85 Do.
219	Noombal	.. ...	92 Do.
220	Sivabootham	.. ...	93 Do.
221	Chettiaragaram	.. ..	94 Do.
222	Thandalam	.. ..	95 Do.
223	Kuppam	.. ..	96 Do.

<i>Serial number.</i>	<i>Name of the Village.</i>	<i>Village number.</i>	<i>Taluk.</i>
(1)	(2)	(3)	(4)
224	Kavambakkam	97	Saidapet.
225	Porur	98	Do.
226	Mettukuppam	99	Do.
227	Nekkundram	100	Do.
228	Virugambakkam	101	Do.
229	Ramapuram	102	Do.
H.E. SLIP - TNA. 13/95 TNA. 13/95 (7-7-95)			
230.	Ma	31	Saidapet
231.	Manbakkam	32	"
232.	Mavaram	30	"
233.	Taram	133	"
234.	Amur	72	"
235.	Macoyal	82	"
236.	Ma	21	"
237.	Chinakkadu	25	"
238.	Thirumtiyur	23	"
239.	Ayakkam	73	"
240.	Chakkam	129	"
241.	Hampuram	127	"
242.	Alakkam	82	"
243.	Kott	54	"

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 5th July 1995 and is hereby published for general information :—

ACT NO. 13 OF 1995.

An Act to amend the Madras Metropolitan Area Groundwater (Regulation) Act, 1987.

Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-sixth Year of the Republic of India as follows :—

1. (1) This Act may be called the Madras Metropolitan Area Groundwater Short title and (Regulation) Amendment Act, 1995. commencement.

(2) It shall come into force at once.

Tamil Nadu Act 2. After section 17 of the Madras Metropolitan Area Groundwater (Regulation) Insertion of 27 of 1987. Act, 1987 (hereinafter referred to as the principal Act), the following section shall be new section inserted, namely :— 17-A.

"17-A. Power to amend Schedule.—The Government may, by notification, alter, amend or add to the Schedule or omit any of the entries specified in the Schedule and upon the issue of such notification, the Schedule shall be deemed to be amended accordingly".

3. In the Schedule to the principal Act, after serial number 229 and the entries relating thereto, the following serial numbers and entries shall be added, namely :— Amendment of Schedule.

** 230. Mathur	—	—	..	31	Saidapet
231. Manjambakkam	..	..	..	32	"
232. Madhavaram	..	..	..	30	"
233. Tambaram	..	..	..	133	"
234. Ambattur	..	..	..	72	"
235. Maduravoyal	..	..	..	82	"
236. Manali	...	..	..	21	"
237. Chinnasekkadu	..	..	—	25	"
238. Thiruvottiyur	..	..	..	23	"
239. Ayappakkam	..	..	..	73	"
240. Chitlapakkam	..	..	..	129	"
241. Hastinapuram	..	..	..	127	"
242. Alapakkam	..	..	..	82	"
243. Korattur	..	..	..	54	,, "

(By order of the Governor.)

M. MUNIRAMAN,
Secretary to Government, Law Department

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 9th May 1977 and is hereby published for general information :—

ACT No. 29 OF 1997.

An Act further to amend the Chennai Metropolitan Area Groundwater (Regulation) Act, 1987.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Chennai Metropolitan Area Groundwater (Regulation) Amendment Act, 1997. *Short title and commencement*

(2) It shall come into force at once.

2. In section 3 of the Chennai Metropolitan Area Groundwater (Regulation) Act, 1987 (hereinafter referred to as the principal Act), in sub-section (3), after the expression "as may be prescribed", the expression "and shall be accompanied by such fee not exceeding two hundred and fifty rupees as may be prescribed" shall be inserted. *Amendment of section 3.*

3. In section 4 of the principal Act,—

(1) in sub-section (4), after the expression "as may be prescribed", the expression "and shall be accompanied by such fee not exceeding two hundred and fifty rupees as may be prescribed" shall be inserted ;

(2) in sub-section (5), for the expression "on payment of such fee as may be prescribed", the expression "on payment of such fee not exceeding two hundred and fifty rupees as may be prescribed" shall be substituted.

4. In section 5 of the principal Act, in sub-section (3), after the expression "as may be prescribed", the expression "and shall be accompanied by such fee not exceeding five thousand rupees as may be prescribed" shall be inserted. *Amendment of section 5.*

5. In section 9 of the principal Act, in sub-section (1), for the expression "within such period and in such manner", the expression "within such period and in such manner and accompanied by such fee not exceeding two thousand rupees" shall be substituted. *Amendment of section 9.*

(By order of the Governor)

A. K. RAJAN,
Secretary to Government,
Law Department



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

701]

CHENNAI, THURSDAY, OCTOBER 24, 2002

Aippasi 8, Chitrabhanu, Thiruvalluvar Aandu-2033

Part IV—Section 2

Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 20th October 2002 and is hereby published for general information:—

ACT NO. 37 OF 2002.

An Act further to amend the Chennai Metropolitan Area Groundwater (Regulation) Act, 1987.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Chennai Metropolitan Area Groundwater (Regulation) Amendment Act, 2002.

Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

2. In the Chennai Metropolitan Area Groundwater (Regulation) Act, 1987 (hereinafter referred to as the principal Act), in section 3,—

Amendment of section 3.

(1) in sub-section (4),—

(a) in clause (a), the word "or" occurring at the end shall be omitted;

(b) to clause (a), the following proviso shall be added, namely:—

"Provided that the competent authority while granting the permit may, after having regard to the hydrogeological conditions, water table conditions, groundwater potential and yield of the aquifer, restrict the depth of the well; or";

(2) in sub-section (6), for clause (e), the following clauses shall be substituted, namely:—

"(e) the existence of other sources of water other than wells and its compatibility;

(f) the compatibility with the existing water resources;

- (g) the factors that affect, control or prevent pollution;
- (h) the possibility for rain water harvesting and conservation;
- (i) such other matter as may be prescribed.".

Amendment of
Section 4.

3. In section 4 of the principal Act,—

(1) in sub-section (1), for clauses (a) and (b), the following clauses shall be substituted, namely:—

"(a) the number of wells that were in existence in the scheduled area immediately before the date of commencement of this Act;

(b) the use of groundwater in the scheduled area for agricultural purposes immediately before the date of commencement of this Act;

(c) the number of wells from which water is extracted for domestic purposes;

(d) the number of wells from which water is extracted for industries, automobile service centres, multipurpose halls and other commercial centres;

(e) the number of water sources both public and private.";

(2) in sub-section (2), for item (vii), the following items shall be substituted, namely:—

"(vii) the details of the methods adopted for groundwater conservation and rain water harvesting;

(viii) the quality of water with scientific evidence;

(ix) such other matter as may be prescribed.";

(3) in sub-section (4),—

(a) in clause (a),—

(i) after the expression "any land situate in the scheduled area?", the expression "or any other person" shall be inserted;

(ii) in the proviso, for the expression "owner or occupier", the expression "owner, occupier or other person" shall be substituted;

(b) in clause (b),—

(i) for the expression "include or refuse to include or modify or refuse to modify", the expression "pass an order in writing, within such time as may be prescribed, including or refusing to include or modifying or refusing to modify". shall be substituted;

(ii) the following proviso shall be added, namely:—

"Provided that no order under this clause refusing to include or modify the particulars shall be passed unless the applicant has been given an opportunity of being heard.".

Amendment of
section 5

4. In section 5 of the principal Act, in sub-section (5),—

(1) for clause (c), the following clause shall be substituted, namely:—

"(c) the availability of groundwater and other sources of water;";

(2) after clause (f), the following clauses shall be added, namely:—

"(g) the quality of groundwater;

- (h) the objection from local residents against commercial extraction;
- (i) the availability of factors contributing to or causing pollution;
- (j) the measures taken for conservation of groundwater and harvesting of rain water and their maintenance;
- (k) such other matter as may be prescribed.”.

5. After section 5 of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 5-A.

"5-A. Prohibition of use of groundwater in certain cases.—Notwithstanding anything contained in this Act, no person shall,—

- (a) extract groundwater for non potable use by an industry when alternate sources are available from the authorized water supply agencies;
- (b) extract groundwater for use in swimming pool:

Provided that the competent authority may grant permission to any organisation including a Government Department to extract groundwater for use in swimming pools owned or maintained by such organisation for promoting sports;

- (c) extract groundwater for gardening purposes.”.

6. In section 10 of the principal Act.—

Amendment of section 10.

(1) in sub-section (1),—

(a) for the expression "five hundred rupees", the expression "two thousand rupees" shall be substituted;

(b) for the expression "one thousand rupees", the expression "five thousand rupees" shall be substituted;

(2) in sub-section (2), for the expression "one hundred rupees", the expression "five hundred rupees" shall be substituted.

7. After section 12 of the principal Act, the following sections shall be inserted, namely:—

Insertion of new sections 12-A to 12-G.

"12-A. Seizure and confiscation of property.—(1) The Government may appoint an officer to be authorised officer to exercise the powers and perform the functions of the authorised officer under this section and sections 12-B and 12-G and different officers may be appointed as authorised officers for different areas.

(2) Notwithstanding anything contained in this Act or in any other law for the time being in force, where an offence under this Act is believed to have been committed, the competent authority may seize any vehicle or other article including pump, tube, tool or equipment used in committing offence under this Act and shall without any unreasonable delay, produce the vehicle together with the articles so seized before the authorised officer.

(3) Where any vehicle or other article is produced before the authorised officer under sub-section (2) and if he is satisfied that an offence under this Act has been committed, the authorised officer may, whether or not a prosecution is instituted for the commission of such offence, order confiscation of the vehicle or other articles so seized.

(4) Where the authorised officer, after passing an order of confiscation under sub-section (3), is of the opinion that it is expedient in the public interest so to do, he may order the confiscated vehicle or other article to be sold by public auction.

(5) Where any confiscated property is sold under sub-section (4), and where the order of confiscation made under this section is set aside or annulled by an order under section 12-C or section 12-D, the proceeds of such sale, after deduction of the expenses of, or incidental to, such auction, shall be paid to the owner thereof or to the person from whom it was seized, as may be specified in such order.

12-B. Issue of show cause notice before confiscation.—(1) No order confiscating any vehicle or other article shall be made under section 12-A except after notice in writing to the person from whom it is seized informing him of the grounds on which it is proposed to confiscate and considering his objections, if any:

Provided that no order confiscating a motor vehicle shall be made except after giving notice in writing to the registered owner thereof, if, in the opinion of the authorised officer, it is practicable to do so and considering his objections, if any.

(2) Without prejudice to the provisions of sub-section (1) no order confiscating any vehicle or other article shall be made under section 12-A, if the owner of the vehicle or other article, proves to the satisfaction of the authorised officer that it was used in committing the offence under this Act without the knowledge or connivance of the owner himself, his agent, if any and the person in-charge of the vehicle or other article and each of them had taken all reasonable and necessary precautions against such use.

12-C. Revision.—The Government may on its own motion or otherwise call for and examine the records of the authorised officer in respect of any order under section 12-A, make such inquiry or cause such inquiry to be made and pass such orders, as they deem fit:

Provided that no proceeding shall be initiated under this section against any order passed under section 12-A, if the time for appeal against that order has not expired:

Provided further that no order prejudicial to any person shall be passed under this section unless such person has been given an opportunity of making his representation and his representation is considered.

12-D. Appeal.—Any person aggrieved by any order passed under section 12-A or 12-C may within thirty days from the date of communication to him of such order, appeal to the Sessions Judge having jurisdiction over the area wherein the property has been seized and the Sessions Judge shall pass such order as he may think fit, which shall be final and shall not be called in question in any court of law.

12-E. Order of confiscation no bar for inflicting any punishment.—Any order of confiscation under section 12-A or 12-C or 12-D shall not be a bar for inflicting any punishment to which the persons affected thereby is liable under this Act.

12-F. Property confiscated to vest with Government.—When an order for confiscation of any property has been passed and such order has become final, every vehicle or other article confiscated under section 12-A, or when sold under sub-section (4) of section 12-A, the sale proceeds thereof shall vest with the Government.

12-G. Bar of jurisdiction.—Where any vehicle or other article is seized under section 12-A, notwithstanding anything to the contrary contained in this Act or in the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) or in any other law for the time being in force, the authorised officer under section 12-A, or the Government under section 12-C or the Sessions Judge under section 12-D alone have jurisdiction to pass orders in respect of custody, possession, delivery or disposal of such property and no court shall have such jurisdiction.

Amendment of
section 14.

8. Section 14 of the principal Act shall be renumbered as sub-section (1) of that section and after sub-section (1) as so renumbered, the following sub-section shall be added, namely:—

"(2) Notwithstanding anything contained in any other law for the time being in force to augment the groundwater storage,—

(a) in every building owned or maintained by the Government or a company or other institution owned or controlled by the Government, there shall be provision for rain water harvesting which shall be made in such manner and within such time as may be prescribed;

(b) on or after the commencement of the Chennai Metropolitan Area Groundwater (Regulation) Amendment Act, 2002, every person who constructs a building, whether for residential or non-residential purpose, shall provide rainwater harvesting structures in such manner as may be prescribed;

(c) the owner or occupier of any building in existence on the date of commencement of the Chennai Metropolitan Area Groundwater (Regulation) Amendment Act, 2002 shall provide rain water harvesting structures in such buildings in such manner and within such period as may be prescribed;

(d) water bodies, whether public or private, shall be used only for the purpose of storing water and not for any other purposes as such water bodies are contributing to groundwater recharge.

Explanation.—For the purpose of this clause, "water bodies" mean lakes, ponds, tanks and the like."

(By order of the Governor.)

A. KRISHNANKUTTY NAIR,
Secretary to Government,
Law Department.

Fine which
may be
imposed.

(4)

Four hundred
rupees.

Two thousand
rupees.:

Tamil Nadu
1987.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 30th May 2008 and is hereby published for general information:—

ACT No. 43 OF 2008.

An Act further to amend the Chennai Metropolitan Area Groundwater (Regulation) Act, 1987.

Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Chennai Metropolitan Area Groundwater (Regulation) Amendment Act, 2008.

(2) It shall come into force at once.

2. In section 1 of the Chennai Metropolitan Area Groundwater (Regulation) Act, 1987 (hereinafter referred to as the principal Act), in sub-section (2), for the expression "Chengalpattu district", the expression "Kancheepuram and Tiruvallur districts" shall be substituted.

3. In section 8 of the principal Act, in sub-section (1),—

(1) in clause (a), for the expression "the Board: and", the expression "the Managing Director of the Board or any officer of the Board not below the rank of Executive Engineer authorized by the Government in this behalf; and" shall be substituted;

(2) for clause (b), the following clause shall be substituted, namely:—

"(b) in relation to the villages specified in the Schedule, the Collector of Kancheepuram district or Tiruvallur district, as the case may be, or any officer not below the rank of Zonal Deputy Tahsildar authorized by the Government in this behalf, within whose jurisdiction the village is situated".

4. In the schedule to the principal Act, for the expression "Chengalpattu District", the expression "Kancheepuram and Tiruvallur Districts", shall be substituted.

Short title and
commencement.

Amendment of
section 1.

Amendment of
section 8.

Amendment of
Schedule.

(By order of the Governor)

S. DHEENADHAYALAN,
Secretary to Government,
Law Department.